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General Counsel for Michael A. McConnell,  
Chapter 11 Trustee

**UNITED STATES BANKRUPTCY COURT**  
**CENTRAL DISTRICT OF CALIFORNIA**  
**NORTHERN DIVISION**

In re  
HVI CAT CANYON, INC.,  
  
Debtor.

Case No. 9:19-bk-11573-MB

Chapter 11

**TRUSTEE'S NOTICE OF SUBMISSION  
OF PROPOSED FORM OF ORDERS ON:  
(1) MOTION FOR ORDER  
AUTHORIZING THE REJECTION OF  
ALL CONTRACTS AND AGREEMENTS  
WITH CALIFORNIA ASPHALT  
PRODUCTION, INC., FORMERLY  
KNOWN AS SANTA MARIA REFINING  
CO. AND GREKA REFINING  
COMPANY, AND GTL1, LLC, NOT  
PREVIOUSLY INCLUDED IN PRIOR  
MOTION TO REJECT (*DOCKET NO.*  
*573*); AND (2) MOTION FOR ORDER  
AUTHORIZING THE REJECTION OF  
OIL PURCHASE CONTRACTS  
(CONTRACT NO. COP-003 FOR  
BELRIDGE CRUDE OIL AND ALL  
AMENDMENTS AND CONTRACT NO.  
COP-004 FOR RICHFIELD HEAVY  
CRUDE OIL AND ALL AMENDMENTS)  
WITH CALIFORNIA ASPHALT  
PRODUCTION, INC., FORMERLY  
KNOWN AS SANTA MARIA REFINING  
CO. AND GREKA REFINING COMPANY  
(*DOCKET NO. 586*)**

Date: December 10, 2019  
Time: 11:00 a.m.  
Place: Courtroom 303  
21041 Burbank Blvd.  
Woodland Hills, California

1 Michael A. McConnell, the Chapter 11 trustee (the "Trustee") for the estate of HVI Cat  
2 Canyon, Inc. (the "Debtor"), hereby submits the proposed form of orders on:

3 (1) the Trustee's Motion for Order Authorizing the Rejection of all Contracts and  
4 Agreements with California Asphalt Production, Inc., formerly known as Santa Maria Refining Co.  
5 and Greka Refining Company, and GTL1, LLC, Not Previously Included in Prior Motion to Reject  
6 (Docket No. 573) (*docket no. 586*). Exhibit "A"; and

7 (2) Trustee's Motion for Order Authorizing the Rejection of Oil Purchase Contracts  
8 (Contract No. COP-003 for Belridge Crude Oil and All Amendments and Contract No. COP-004  
9 for Richfield Heavy Crude Oil and All Amendments) with California Asphalt Production, Inc.  
10 formerly known as Santa Maria Refining Co. and Greka Refining Company (*docket no. 573*).  
11 Exhibit "B".

12  
13 DATED: December 9, 2019

DANNING, GILL, ISRAEL & KRASNOFF, LLP

14  
15 By: 

16 ERIC P. ISRAEL  
17 Attorneys for the Chapter 11 Trustee  
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**EXHIBIT “A”**

ERIC P. ISRAEL (State Bar No. 132426)  
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Attorneys for Michael A. McConnell,  
Chapter 11 Trustee

**UNITED STATES BANKRUPTCY COURT**  
**CENTRAL DISTRICT OF CALIFORNIA**  
**NORTHERN DIVISION**

In re  
HVI CAT CANYON, INC.,  
Debtor.

Case No.: 9:19-bk-11573-MB

Chapter 11

**ORDER GRANTING TRUSTEE'S  
MOTION FOR ORDER AUTHORIZING  
THE REJECTION OF ALL CONTRACTS  
AND AGREEMENTS WITH  
CALIFORNIA ASPHALT PRODUCTION,  
INC., FORMERLY KNOWN AS SANTA  
MARIA REFINING CO. AND GREKA  
REFINING COMPANY, AND GTL1, LLC,  
NOT PREVIOUSLY INCLUDED IN  
PRIOR MOTION TO REJECT (DOCKET  
NO. 586)**

Date: December 10, 2019  
Time: 11:00 a.m.  
Place: Courtroom 303  
21041 Burbank Boulevard  
Woodland Hills, California 91367

On December 10, 2019, at 11:00 a.m., there came before the Court for hearing the motion  
(docket no. 586) (the "Motion") filed by Michael A. McConnell, the Chapter 11 trustee (the  
"Trustee") for the estate of HVI Cat Canyon, Inc., for an order authorizing the rejection of certain  
contracts with affiliates California Asphalt Production, Inc., formerly known as Santa Maria

**EXHIBIT** A

Refining Co. and Greka Refining Company (“CAP”), and GTL1, LLC (“GTL1”), not previously included in the prior motion to reject (*docket no. 573*), as follows:

(1) CAP – Crude Oil Purchase Contract – Contract No. COP-002, and all amendments, for Santa Maria Valley crude oil (collectively, the “SMV Contracts”);

(2) CAP – Waste Gas Handling Agreement, and all amendments, for waste gas delivery (the “Waste Gas Agreement”);

(3) CAP – Supply Agreement, and all amendments, for hot load supply (the “Hot Load Supply Agreement”);

(4) CAP – Amended and Restated Agreement, and all amendments; for BS&W excess and cold oil (the “BS&W and Cold Crude Agreement”);

(5) CAP – Supply Agreement, and all amendments, for LCR (light crude) (the “LCR Agreement”);

(6) GTL1 – Trucking Agreement.

Copies of the contracts with CAP were attached to the Declaration of Michael A. McConnell in support of the Motion as Exhibits “2” through “8.”

Eric P. Israel of Danning, Gill, Israel & Krasnoff, LLP appeared on behalf of the Trustee. Other appearances were as noted on the record.

The Court having read and considered the Motion and all papers filed in support thereof, the statement of support of the Motion filed by UBS AG, London Branch (*docket no. 596*); having granted the Trustee’s application to shorten time for the hearing on the Motion by order entered on or about December 5, 2019 (*docket no 590*); having found that notice of the Motion was adequate and proper, and good cause appearing, it is

ORDERED THAT:

1. The Motion is granted in its entirety.
2. The Trustee is authorized to reject the following contracts and agreements between the Debtor and CAP: the SMV Contracts, the Waste Gas Agreement, the Hot Load Supply Agreement, the BS&W and Cold Crude Agreement, and the LCR Agreement, all effective as of November 27, 2019.

1           3.       The Trustee is authorized to reject any and all contracts and agreements between the  
2 Debtor and GTL1 for transportation and equipment services, all effective as of November 27, 2019.

3           4.       The agreements identified in paragraphs 2 and 3 above are deemed rejected and  
4 terminated, all effective as of November 27, 2019.

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**EXHIBIT “B”**

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6 Attorneys for Michael A. McConnell,  
Chapter 11 Trustee  
7

8 **UNITED STATES BANKRUPTCY COURT**  
9 **CENTRAL DISTRICT OF CALIFORNIA**  
10 **NORTHERN DIVISION**

11 In re  
12 HVI CAT CANYON, INC.,  
13 Debtor.

Case No.: 9:19-bk-11573-MB

Chapter 11

**ORDER GRANTING TRUSTEE'S  
MOTION FOR ORDER AUTHORIZING  
THE REJECTION OF OIL PURCHASE  
CONTRACTS (CONTRACT NO. COP-003  
FOR BELRIDGE CRUDE OIL AND ALL  
AMENDMENTS AND CONTRACT NO.  
COP-004 FOR RICHFIELD HEAVY  
CRUDE OIL AND ALL AMENDMENTS)  
WITH CALIFORNIA ASPHALT  
PRODUCTION, INC., FORMERLY  
KNOWN AS SANTA MARIA REFINING  
CO. AND GREKA REFINING COMPANY  
(DOCKET NO. 573)**

Date: December 10, 2019  
Time: 11:00 a.m.  
Place: Courtroom 303  
21041 Burbank Boulevard  
Woodland Hills, California 91367

24 On December 10, 2019, at 11:00 a.m., there came before the Court for hearing the motion  
25 (*docket no. 573*) (the "Motion") filed by Michael A. McConnell, the Chapter 11 trustee (the  
26 "Trustee") for the estate of HVI Cat Canyon, Inc. (the "Debtor"), for an order authorizing the  
27 rejection of certain crude oil purchase contracts with California Asphalt Production, Inc., formerly  
28 known as Santa Maria Refining Co. and Greka Refining Company, as follows: (1) Crude Oil



1 Purchase Contract – Contract No. COP-003, and all amendments, for Belridge heavy crude oil (the  
2 “Belridge Contracts”); and (2) Crude Oil Purchase Contract – Contract No. COP-004, and all  
3 amendments, for Richfield crude oil (Redu) (the “Richfield Contracts”). Copies of the Belridge  
4 Contracts and Richfield Contracts were attached to the Declaration of Michael A. McConnell in  
5 support of the Motion as Exhibits “2” and “3,” respectively.

6 Eric P. Israel of Danning, Gill, Israel & Krasnoff, LLP appeared on behalf of the Trustee.  
7 Other appearances were as noted on the record.

8 The Court having read and considered the Motion and all papers filed in support thereof, the  
9 Corrected Declaration of Tim Skillman in support of the Motion (*docket no. 574*), the Statement in  
10 support of the Motion filed by UBS AG, London Branch (*docket no. 596*); having granted the  
11 Trustee’s application for order advancing hearing the hearing on the Motion from December 20,  
12 2019, at 10:30 a.m., to December 10, 2019, at 11:00 a.m.; having found that notice of the Motion  
13 was adequate and proper, and good cause appearing, it is

14 ORDERED THAT:

- 15 1. The Motion is granted in its entirety.
- 16 2. The Trustee is authorized to reject the Belridge Contracts, and the Belridge Contracts  
17 are deemed rejected and terminated, all effective as of November 27, 2019.
- 18 3. The Trustee is authorized to reject the Richfield Contracts, and the Richfield  
19 Contracts are deemed rejected and terminated, all effective as of November 27, 2019.

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## PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is 1901 Avenue of the Stars, Suite 450, Los Angeles, CA 90067-6006.

A true and correct copy of the foregoing document entitled (*specify* **TRUSTEE'S NOTICE OF SUBMISSION OF PROPOSED FORM OF ORDERS ON: (1) MOTION FOR ORDER AUTHORIZING THE REJECTION OF ALL CONTRACTS AND AGREEMENTS WITH CALIFORNIA ASPHALT PRODUCTION, INC., FORMERLY KNOWN AS SANTA MARIA REFINING CO. AND GREKA REFINING COMPANY, AND GTL1, LLC, NOT PREVIOUSLY INCLUDED IN PRIOR MOTION TO REJECT (DOCKET NO. 573); AND (2) MOTION FOR ORDER AUTHORIZING THE REJECTION OF OIL PURCHASE CONTRACTS (CONTRACT NO. COP-003 FOR BELRIDGE CRUDE OIL AND ALL AMENDMENTS AND CONTRACT NO. COP-004 FOR RICHFIELD HEAVY CRUDE OIL AND ALL AMENDMENTS) WITH CALIFORNIA ASPHALT PRODUCTION, INC., FORMERLY KNOWN AS SANTA MARIA REFINING CO. AND GREKA REFINING COMPANY (DOCKET NO. 586)**) will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

**1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):** Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (date) December 9, 2019 I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

☒ Service information continued on attached page.

**2. SERVED BY UNITED STATES MAIL:**

On (date) December 9, 2019, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

☒ Service information continued on attached page.

**3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (state method for each person or entity served):** Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (date) December 9, 2019, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

PERSONAL DELIVERY – BY ERIC P. ISRAEL ON 12/10/19  
The Honorable Martin R. Barash  
U.S. Bankruptcy Court  
Bin on 1st Floor outside entry to Intake Section  
21041 Burbank Blvd.  
Woodland Hills, CA 91367

☐ Service information continued on attached page.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

December 9, 2019  
Date

Gloria Ramos  
Printed Name

/S/ GLORIA RAMOS  
Signature

**ADDITIONAL SERVICE INFORMATION (if needed):**

**1. SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (“NEF”)**

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- **Aaron E de Leest** adeleest@DanningGill.com,  
danninggill@gmail.com; adeleest@ecf.inforuptcy.com

## **2. SERVED BY U.S. MAIL**

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c/o Capitol Corporation Services, Inc.  
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